Washington Mr. Van Reypen received many more invitations than he could accept, and appeared to enjoy the holiday parties hear-tily, remarking to friends that after such d time he could attack his studies with

He looked to be in the best of health and seemed to be deeply interested in his law work at Columbia, and his friends here are at a loss to account for yesterday's tragedy. He also was editor of the Yale News.

POPULAR IN NEW HAVEN.

Young Van Reypen Connected With

Various Yale Societies. NEW HAVEN, Conn., January 27.-Willlam K. Van Reypen, jr., of Washington, D. C., who shot and killed himself today in New York, was a graduate of Yale with the class of 1905 and was one of its mos active and popular members. He was one of the editors of the Yale Literary Magazine business manager of the Yale Daily News, a member of the Yale tennis team and a member of the 1905 class day com mittee. He was also a member of Psi Upsi Ion Fraternity and of the Yale senior soclety "Skull and Bones."

He was a good student, and at the time of his graduation was voted by his classmates the most energetic, versatile most likely to succeed of the class of 1905. Letters from him received by some of his classmates here recently indicated that he was working quite hard, but was enjoying good health

DUKE DIVORCE TROUBLES.

Tobacco Magnate Makes General Denial of Wife's Charges.

Special Disptach to The Star. TRENTON, N. J., January 27 .- James B. Duke today filled in the court of chancery his answer to the cross petition against him by his wife, Lillian N. Duke. In his answer Duke makes formal denial of the charges against him, including that of infidelity with Mary Smith, who is said to be his housekeeper in the Somerville place. He also denies that while on their wedding journey he compelled Mrs. Duke to take long trips, exposing her while in ill nearth to storms in an open vehicle, that he compelled her to go hungry and that he used harsh and abusive language toward her. Specific denial is made of the charge that Duke on several occasions kicked his wite out of bed, struck her with a crutch and

laid violent hands upon her.

The answer denies that since his marriage he has kept Mary Smith in charge of his home at Somerville or that he has di-rected Mrs. Duke to submit to the control of Mary Smith in any respect or that he has compelled his wife to seek the assent or point out that the Constitution provides Mary Smith in anything done about the Somerville house

The charges of making malicious attacks upon Mrs. Duke's character and employing detectives to ascertain the relations between her and Frank Huntoon is denied by Duke, who says that he did not employ detectives until he had himself made discoveries that gravely involved Mrs. Duke-

TRIBESMEN AT WARFARE.

Fighting Reported in the Environs of Tangier. TANGIER, Morocco, January 27.-Fight-

ing has begun in the environs of Tangler between the Anjera tribesmen and members of Raisull's band.

The tribesmen have burned three villages east of Tangler and are now marching in force to attack Raisuli at his fortress in

A transport has left Adjaercud, where it will discharge artillery and gunners for

COUNTERFEITER RELEASED.

Elijah Lynch Set Free on President's

COLUMBUS, Ohio, January 27. - A telerum was received at the penitentiary today from Attorney General Moody at Washington ordering the release of Elijah Lynch, serving one and one-half years from Toledo for counterfeiting.

The order comes from Washington on au

thority of President Roosevelt. Lynch left the institution soon after the receipt of the order. He has served time before, having been sent up from Mercer county.

CALLED MAYOR A LIAR.

A Richmond Lawyer Used Very Strong Language. Special Dispatch to The Star.

RICHMOND, Va., January 27.-Harry M. Smith, a lawyer of the city, one of the foremost in the state, today called Mayor McCarthy a liar, embellishing the designation with a pretty strong epithet. The mayor made no resentment of the remark. The mayor had said that the lawyer would do anything to win a case.

The senate today is in executive session

and there is some trouble in confirming danger. The safety of our institutions decertain of the appointees of Gov. Montague. pends in no small degree on a strict ob-The legislature of Maryland has named a special committee to confer with a committee from Virginia in regard to legislation on the subject of oyster taking. The committee will come to this city at a date to be

MARRIAGE IN ARMY LIFE.

Lieut. Kingman Wedded to Miss Coch-

ran at Cincinnati. CINCINNATI, Ohio, January 27,-Miss bride, and they will sail on February 15 its own department and no other. from San Francisco for Manila. The bride was attended by Miss Dameron of New York as maid of honor, and Miss Lena Jennings of Rochester, N. Y., as bridesmaid. The groom and several army associates, who served as ushers, wore full dress uniform, and the wedding was distinctly mili-tary. The bride was given away by her brother, Capt. Percy Cochran. Lieut. King-man is a son of Gen. Dan Kingman of

CHURCH BURNED.

Building Only Recently Paid for-Cost \$55,000.

NEWPORT NEWS, Va., January 27 .-Fire today destroyed the First Baptist Church on 29th street. The building was only recently paid for, and was construct-

ed of brown granite at a cost of \$55,000. There is \$25,000 insurance.

Other property was saved from destruction by being saturated with rain water. The cause of the fire is not known. The building will be re-erected at once. Rev. Dr. J. W. Porter is the pastor.

MAYOR ON THE RACK.

Buffalo Official Must Answer Charges of Neglect of Duty.

BUFFALO, N. Y., January 27 .- Formal charges of neglect of duty have been drawn up against Mayor J. N. Adam of this city as an outgrowth of an investigation into the methods of accounting for the city's police pension fund. When the investigation disclosed that \$9,000 was missing from the pension fund Superintendent Bull promptly paid that amount into the city treasury.

Police Commissioner Doherty then filed charges against Superintendent Bull, charging him with neglect of duty in not turning in the money promptly. Mayor Adam is a member of the police commission ex-officio, but he refused to sit on the trial of the su-perintendent and asked Commissioner Doherty to resign the commissionership. It was because of this refusal that the charges against the mayor, which were preferred by Capt. Walter E. Pagan of the state militia,

The Hepburn Rate Bill Not to Be Materially Amended.

WILL BE FOUGHT IN SENATE

Question of Constitutionality to Be Raised.

CERTAIN POINTS OF ATTACK

Decisions of the United States Supreme Court Quoted in Support of the Contention.

The action of the House committee in agreeing to a unanimous report on the Hepburn railway rate bill assures its passage through the House without any substantial amendment, whether it be considered under a special order shutting out all amend-

ments or not. It does not follow, however, that the bill that will be finally agreed upon by both Houses and sent to the President for his signature will follow very closely the lines of this measure. It is believed, even by members of the House, that the Senate will have much to do in framing any rate legislation that may be passed. The Hepburn bill will be attacked in the Senate on the ground that it would be unconstitutional and that it would go to dangerous lengths in giving the interstate commerce commission authority over the commerce and industries of the United States.

Those senators who agree with Mr Foraker of Ohio and Mr. Morgan of Alabama that a question as to the reasonableness of a railway charge is a judicial question that must be passed upon by a court at some stage of the proceedings will contend that the proposition of the Hepburn bill to have this function exercised by an administra-tive commission would be held by the Su-preme Court to be proceeding to the compoint out that the Constitution provides for the exercise of judicial power only by courts, the judges of which "shall hold their offices during good behavior and shall, at stated times, receive for their services a compensation which shall not be dimnished during their continuance in office." also contend that the interstate commerce commission does not come within this constitutional definition of a court, and they predict that the Supreme Court, always a jealous guardian of the rights of the judiciary, would hold to be unconstitutional any law attempting to empower a non-judicial body to exercise judicial functions.

Functions Given to the Commission. It is contended, further, that the Hepburn bill would involve the bestowal on the interstate commerce commission of such a combination of legislative, executive and judicial functions as would be in clear violation of the fundamental principles of the Constitution and its division of the government into three great depart-ments. It is declared that the Hepburn bill would require the commission to sit as a court and pass upon the judicial question as to the reasonableness of a rate and then sit as a legislature and prescribe a new rate for the future.

The Supreme Court is quoted in support of the contention that the Hepburn bill would require the commission, in addition to exercising its administrative functions, to act both as a court and as a legislature. The court has said: "It is one thing to inquire whether the rates which have been charged and collected are reasonable—that is a judicial act—but an entirely different thing to prescribe rates which shall- be charged in the future; that is a legislative

promotion of what is supposed to be pub-It is claimed that the fact that the Supreme Court would hold to be unconstitutional any proposition to combine legisla-tive, executive and judicial functions in the

interstate commerce commission, as is pro-posed by the Hepburn bill as shown by at least two utterances of that court. Supreme Court Rulings.

In the case of the Union Pacific railway against the United States the court said: "One branch of the government cannot encroach on the domain of another without danger. The safety of our institutions dervance of this salutary rule." In the case of Kibourn against Thompson the court sald: "It is believed to be one of the chief merits of the American system of written constitutional law that all the powers intrusted to government, whether state or national, are divided into the three grand departments-the executive, the legislative and the judicial; that the functions appropriate to each of these branches of govern-ment shall be vested in a separate body of public servants and that the perfection of the system requires that the lines which separate and divide these departments shall Catherine Mortimer Cochran, daughter of the late Col. Cochran of the 6th Infantry, essential to the successful working of this and Lieut. Ralph W. Kingman of the 16th Infantry, were married at Christ Episcopal Church in this city tonight, Rev. Frank Neison officiating. Lieut Kingman came from son officiating. Lieut, Kingman came from shall by the law of its creation be limited his post in the Philippines to claim his to the exercise of the powers appropriate to

It is argued that the declaration of the Supreme Court as to the nature of the functions to be exercised in condemning one rate and prescribing another to replace it and the utterances of the court as to the separation of governmental functions by the Constitution indicate clearly that it would be a mere waste of time and energy for Congress to enact a law along the lines of the Herburn bill only to have the lines of the Hepburn bill, only to have it declared null and void the first time it

might be questioned before the Supreme Court.

There are still other grounds on which the opponents of legislation along the line of the Hepburn bill will attack the constitutionality of the measure.

Foraker Will Oppose the Legislation.

One of the leaders in the atack that will be made in the Senate on legislation as is proposed by the Hepburn bill will be Senator Foraker, who is one of the members of the Senate committee on interstate commerce, and who has introduced a bill the basic principle of which is a provision for the determination by a United States circuit court of the question of whether a challenged rate is reasonable or unreasonable. Senator Foraker takes the view that this bill is not subject to any of the constitutional objections that can be urged against bills proposing to require the commission to exercise judicial and legislative mission to exercise judicial and legislative functions and that it would afford a more speedy and more effective remedy for unreasonable charges or other railway abuses than would be supplied by any other bill that has yet been presented in either house of Congress

of Congress.

It is becoming apparent that the real fight in the Senate is to be between the supporters of legislation giving to the commission practically unrestricted powers mission who believe that the law must and those who believe that the law must be so drawn as to enable the courts, at some stage of the proceedings, to pass on the judicial question as to the reason-ableness of a rate.

Typothetae Reports Conditions O. K. NEW YORK, January 27 .- A statement issued by the Typothetae tonight says; "At the end of the fourth week of our

strike every one of our plants is operating

LA FOLLETTE FORCES WANT TO DEFEAT HIM IF POSSIBLE.

Special Disptach to The Star.

MADISON, Wis., January 27.-The La Follette people have recently been paying considerable attention to the third district, and while a few weeks ago it looked as if there was to be no opposition to the renomination on the republican ticket of Representative J. W. Babcock, a few things have transpired lately which seem to show that Mr. Babcock may have oposition at the primary election. The resumption of the fight is due largely to the excuse offered by the insurrection against Cannon.

The La Follette men propose to argue that Babcock, being at war with Cannon, can do no more for his district. This is expected to overcome the friendship shown Babcock by the tobacco raisers as a result of his fight against the Philippine bill.

Some trouble may be found in finding a man who will face Mr. Babcock in the primary, in view of the fact that as matters now stand in the district a candidate making the contest will have little chance of

Looking Toward a Democrat. The La Follette leaders in the third district are showing a great deal of interest, however, in the possible democratic candidates in this district, and a great deal of pressure is being brought to bear on Thomas L. Cleary of Lancaster to have him enter the field as a democratic candidate against Mr. Babcock. Last fall it did not seem likely that Mr. Cleary would be a candidate for the nomination, but during the last few weeks Mr. Cleary has shown more interest in the possible results of a campaign by him against Mr. Babcock, and his candidacy is now regarded as a possibility.

Mr. Babcock is a hard man to defeat, as was shown by the great fight which he put up two years ago, when he saved his neck by a narrow majority over Herman Groto-phorst, a democrat indorsed by Lafollette. Mr. Cleary would not have the handicap in a campaign which Mr. Grotophorst had two years ago, of having been a La Follette appointee. This caused many to look upon as more of a La Follette than a democratic fight, and there is no doubt but that a good many democratic leaders lost interest in the contest for this reason.

MYSTERY CLEARED UP

DECOMPOSED BODY OF JOHN F. GRIFFIN FOUND.

There is no longer any mystery connected with the disappearance from the Gundry Home at Catonsville, Md., June 8, 1905, of John F. Griffin, the plate printer, who lived at 2123 H street northwest, this city, the dead body of the missing man having been found in the engine room at the Catonsville institution vesterday morning. A small boy who was climbing about the building lookdecomposed body of the missing man. Griffin had crawled into a narrow space between the feed pipes leading from the engine room to the main building and died. His death, it is believed, was due to exhaustion and not to violence, although a brother of the deceased, Mr. M. P. Griffin, who went to Baltimore yesterday, told a Star reporter last night that the suggestion of suicide was made to him when he visited the sanitarium yesterday. He would not listen to such a suggestion, how ever, and thinks an investigation should

Employed at Bureau.

John F. Grimn was twenty-nine years old and was employed as a plate printer at the bureau of engraving and printing. He was sent to the Gundry Home for treatment. charged in the luttile, that is after he had suffered from nervousness to act."

In another case the Supreme Court, referring to an attempted exercise of the ratemaking power, said that it would be the making of "laws of wide import, destroying some branches of commerce that have long sexisted, and undertaking to change the existed, and undertaking to change the change the had left the vicinity of the home and probably died in the woods. Relatives went after he had suffered from nervousness for probably died in the woods. Relatives went to the country on several occasions to view bodies that had been found, but none of them proved to be that of the missing

His Wife Almost Frantic.

The continued absence of the young man almost drove his wife frantic. She had become nervous under the strain, and was always expecting to hear something from her husband. The local police were appealed to for assistance and descriptive cards were sent broadcast in which a reward of \$50 was offered for information leading to a

solution of the mystery.

Mr. Griffin, brother of the deceased, cared at police headquarters last night upon his return from Baltimore and told Sergt. Carter of the finding of the body. He said he was able to identify it by the gold teeth. He will return to Baltimore Monday morning and make arrangements for the reing and make arrangements for the removal of the remains to this city. It is the intention of relatives to have the remains taken to the home of Mr. John Griffin, father of the deceased, from where the funeral will take place.

Notified by Dr. Gundry.

When a Star reporter called at the residence of Matthias Griffin, 946 26th street northwest, late last evening it was stated that the remains had been identified as the missing man. Dr. Gundry, who has charge of the sanitarium at Catonsville, Md., where Mr. Griffin had been staying before he disappeared last June, had called the family up by telephone yesterday morning and informed them that the remains had been found. He also stated that he believed that Griffin had died of sufficiation. Griffin had died of suffocation.

The deceased was a member of the Plate Printers' Union. He was also a member of Potomac Council of the National Union, St. Peter's Commandery, No. 134, of the Knights of St. John, and of Division No. 7, Ancient Order of Hibernians.

Mrs. Griffin, the wife of the deceased, who is staying at the home of her brother-in-law, was unable to give any definite arrangements for the funeral until she had consulted with the other members of the

PROPOSED ELECTION LAW.

Gen. Baughman Explains New Measure-Indorsed at Frederick.

Special Dispatch to The Star. FREDERICK, Md., January 27.-The democratic county central committee met at the court house this morning and made recommendations for every office in the county under legislative jurisdiction. Mesars. John Francis Smith, Christian H. Rekstein and John Wood, the present incumbents, were recommended for re-appointment as justices of the peace for Frederick district. A resolution in the shape of a proposed

bill for a change in the present election law was submitted to the committee and indorsed. The bill was merely a rough cast of the one that is to be drawn up and introduced at the present session of the general change in the present session of the general assembly, and it provides for a radical change in the present system of voting.

Gen. L. V. Baughman, chairman of the Frederick county executive committee. stated that the proposed new measure will establish an election law as nearly as possi-ble to the view expressed by the majority of the democrats of Frederick county who have discussed the subject. The bill in effect is practically a return to the ballot used at the election of 1897, with the exception that the party designation is to be placed to the left of the name of the can-didate and a mark for a candidate that ex-

with almost as many men employed as before the strike. Instead of losing members from our fighting line, as might have been expected, we have gained one, the Livingston-Middledith Company."

Father O'Keefe Dying.

Special Dispatc's to The Star.

BALTIMORE, Md., January 27.—Father O'Keefe, chaplain of Mahone's Brigade, a personal friend of Jeff Davis and R. E. Lee, and december of the state. A voter will thus be able to prepare his ticket at home, come me personally I will answer them without expense to the taxpayers and without inverse to the toxpayers and without inverse to the voting place, secure his envelope and decorated by France, is dying at Tow
median and chairman of the rules committee, has been appointed to a professorship of mathematic.

I down A. Massile—Health state.

District department of United Spanish War Veterans calling a meeting of all members and chairman of the rules committee, has been appointed to a professorship of mathematic at the Naval Academy, which carries with it the rank of lieutenant, but does not detach him from his department, that seps in the state. A voter will thus be able to prepare his ticket at home, come to the voting place, secure his envelope and decorated by France, is dying at Tow
son, Md.

District department of United Spanish War Veterans calling a meeting of all members and chairman of the rules committee, has been appointed to a professorship of mathematics at the Naval Academy, which carries with it the rank of lieutenant, but does not detach him from his department, that seps in the natics at the Naval Academy, which carries with it the rank of lieutenant, but does not detach him from his department, that seps in the natics at the Naval Academy, which carries with it the rank of lieutenant, but does not detach him from his totach him from his department, that seps in the natics at the Naval Academy with the proper his tilt the rank of lieutenant, but does not detach him from his department, that seps in the natics at the Naval Academy with the proper his tilt the rank of lieutenant, but does not detach him from his department, that seps in the natics at the Naval Academy with the proper his tilt the rank of lieutenant, but does not detach him from his department, that seps in the natics at the Naval Academy with the proper his tilt the rank of lieutenant, but does not detach him from his department, that seps in the natics at the Naval Academy with the proper his tilt the natics at the Naval Academy wit

WILL PASS THE HOUSE BABCOCK OPPOSITION COL. MANN ARRESTED

(Continued From First Page.)

of the prosecution, however, and Mrs. Wray executed the bond of \$10,000.

Col. Mahn, on leaving court, said he would make no statement.
"I have nothing to talk about," he de

clared. 'I have committed no crime, and the public will learn that this is so in a The Matter Supplied by Mr. Loeb.

pecial Dispatch to The Star. NEW YORK, January 27 .- Col. Mann, the editor of Town Topics, who was arrested today for perjury in the Deuel case, declared that President Roosevelt and Secretary Loeb were fully aware that the matter supplied by Mr. Loeb concerning the nation's chief executive was intended for "Fads and Fancies." The colonel added that a letter proving the truth of his assertion is in the hands of District Attorney Jerome. He was asked if he was aware of the publication by Secretary Loeb of the letter sent to him declining the book. The question was not finished before the colonel broke in:

"Look here, my boy, I want you to re-member that I never brought the Presi-dent's name into this case myself. Jerome and his assistants instructed me to produce in court all the papers and docu-ments relating to 'Fads and Fancies.' was most particularly instructed to produce all the correspondence that had borne on the President's appearance in the book. They told me, too, that I must find the proofs of the publication. I had simply to obey orders, and I did, though we had a time finding the President's

"Were these the same proofs that were sent to the White House for possible corrections?" was asked.

"They were."
"Was the manuscript of the article about the President sent to Washington, too, before printed?" was asked next.
"Oh, no," answered the colonel. "You know this was asked to be a second to know, this was a very important work, and we had to be very careful about it. The manuscript was written in our effice and set up in type. Then we forwarded proofs to the President. We did it in his case as in the case of everybody else in the book, All our subscribers got their proofs both of the reading matter and of the photographs before they went into the book." Were there any corrections on the Presi

dent's proofs when they came back?" "There were."
"Who made them?" "How could I know?" "Were they all in one handwriting?"
"How could I tell?"

"Didn't you examine them to see who nade the corrections?" "I may have done so, but then I never expected to be called to tell anything about t so long afterward.

"Now the public has the facts," Cok. Mann concluded, "One letter was made public from the White House. The other is in the possession of the district attorney We did forward proofs to the President We got them back corrected. The corrected proofs were shown in court. We got four photos. They and all we wrote about Roose velt were printed in 'Fads and Fancies.' "

THE ALLINSON MURDER

OFFICIALS CONFIDENT THAT RU-FUS JOHNSON IS THE CULPRIT.

MOORESTOWN, N. J., January 27 .- The police authorities of Burlington county and of Baltimore are confident that Rufus Johnson, the colored man under arrest in Baltimore, was connected with the murder of friendly perhaps than before in the history Miss Florence W. Alinson, who was as- of the two nations. saulted and killed on the Strawbridge farm. Among the callers at the German em-

near here, on January 18.

Today Harry McPhelan, clerk in a Philadelphia pawnbroker's establishment, went to Paltimore and identified Johnson, went to Paltimore and identified Johnson. to Baltimore and identified Johnson as the man who on the afternoon of January 18

pledged a gold watch.

The inscription according to the police authorities with that in Miss Allinson's watch, which was stolen from her home after the murder. McPhelan says he loaned Johnson \$3 on the watch.

The police officials are said to have found the key of the watch in Johnson's valise. BALTIMORE, Md., January 27.-The con fidence of the Baltimore police that in Ru-fus Johnson, colored, now under arrest here, they have a person who had some knowledge of the murder of Miss Florence W. Allinson of Moorestown, N. J., who was killed a fortnight ago, was apparently jus-tified today when Harry McPhelan, clerk to a Philadelphia pawnbroker, identified Johnson as the man who, on the day of the murder, pawned with his firm a watch said to have been Miss Allinson's, and which bore her name. In a purse in Johnson's pocket was found, when he was searched here, a watch key that fits the watch pawned. Johnson still refuses an outright confession, but Captain of Detectives Pum-

phrey has drawn from him fragmentary statements and admissions that, the officer says, leave not the slightest doubt in his mind that Johnson is the man wanted. Detective Lynch of the Philadelphia department recovered the watch which is said to be Miss Allinson's from a Philadelphia pawnshop on last Wednesday. Lynch accompanied McPhelan to Baltimore today. When the watch was shown to today. When the watch was shown to Detective Lore of Burlington county, it is said to have been identified as the property of Miss Allinson. The inscription in the watch case is "F. W. Allinson, from her brother, 24, 7, '91."

Italy's Gift to Miss Roosevelt.

PARIS, January 28 .- A dispatch to the Echo de Paris from Milan says that King Victor Emmanuel has commissioned a Milan jeweler to execute a magnificent piece of jewelry to be given as a wedding pres-ent to Miss Alice Roosevelt.

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Paul Dashiell's Appointment. ANNAPOLIS, Md., January 27.-Dr. Paul

A SIGNIFICANT SPEECH FULL EXTENT OF LAW

Sentence of Captain of the Gen.

CZAR NICHOLAS TOASTS THE

HEALTH OF THE KAISER.

in the closest friendship and the mis-

matched alliance of the empire with repub-

lican France lagging in the rear, was fore-

casted by the words of Emperor Nicholas

day in honor of Emperor William's birth-

Rising to his feet before a brilliant com-

pany of Russian and German representa

tives to propose a toast to the German Em-

peror, Emperor Nicholas lifted his glass

and said, slowly and distinctly, as if weigh

"I drink to the health of the Emperor of Germany and the King of Prussia, my brother and very dear friend."

A Significant Phrase.

The phrases chosen were significant

enough in themselves, the emperor in pre-

vious years having proposed the health of

dorf, the foreign minister, gave ministerial sanction to the significance of the utter-

ance. All were in full uniform. The em-peror and Grand Duke Michael wore the

indicates that the defensive alliance with France is still considered binding, but un-

doubtedly, as has been the gossip in diplo-matic circles here for some time, not a hair's breadth beyond the letter of the treaty providing for common action only

in case France is not the aggressor, and there is no telling how soon it will be al-

Relations With Germany.

The present relations between Germany

and Russia have been a matter of slow but

steady growth and signs of the new align-

ment have long been in the air. Since the

outbreak of the Russo-Japanese war the

warm personal friendship existing between

the two monarchs has been knit closer.

and the many material tokens of friendship

manifested by Germany during the war,

compared with the lukewarm support to

which France was limited by her new-found

entente with Great Britain, has combined

to build up strong Germanophile sentiment in influential quarters in St. Petersburg. At the same time much of the necessity to France of the Franco-Russian alliance van-

ished when France clasped hands with Great Britain and practically assured her-

The present relations between Germany and Russia were also the text of an ad-

dress delivered by Ambassador von Schoel before the German residents of St. Peters-

burg, who assembled this evening in honor of Emperor William's anniversary. He

spoke with confidence of the amity exist-

ing between the two empires and declared

COLLEGIATE COMMITTEE.

NEW YORK, January 27 .- The national

inter-collegiate foot ball rules committee.

after being in session in this city all day,

announced tonight the adoption of new

rules which, it is believed, will eliminate

brutality from the game. Before becoming

law the rules must be ratified at a meeting

It was decided that striking with fists.

elbow, knee or deliberately kicking an op-

ponent shall be punishable by disqualifica-

tion for the remainder of the game, and

the offending team shall lose half the dis-

tance to its own goal line. A substitute

shall be allowed in place of the player dis-

The player disqualified twice in a season

For unnecessary roughness, such as strik-

ing the runner with the ball in the face, with the hand, meeting with the knee, pil-

ing up, striking with the locked hands by

linemen in breaking through, tripping, tac-

acts of unnecessary roughness the penalty

Unsportsmanlike conduct, including abu-

officials, a penalty of suspension for remainder of day.

It shall be the duty of all the officials to

Holding Prohibited.

Players of the side that has possession

shall not hold, lock or otherwise obstruct

except with the body; but a player running

with the ball may ward off an opponent

with his hands. Holding or unlawful ob-

structing includes (a) grappling the oppo-

nent with hands; (b) placing hands on op-

ponent to push him away from a player. The definition of holding was finally held

over until the next meeting for further dis-

The neutral zone proposition as expound-

ed by Harvard was adopted. It was agreed that there shall be a referee, two umpires and a linesman to each game. For

small games if necessary, there shall be but one umpire.

On the question of opening the game it was decided that any man back of the snapper-back shall be allowed to make a forward pass, provided it does not extend

beyond the line of scrimmage. He may

also pass to a man who is in the line of scrimmage when the ball is put in play.

On the Scrimmage Line.

Six men shall always be on the line of

scrimmage; the five center men shall al-

ways be on the line, except that one of the

center men may drop back at least five

yards or more, another man to take his

Not more than six men shall be on the

line of the scrimmage on defense; the other shall be clearly behind the feet of

mage cannot tackle below the knee.
Hurdling in the line is to be prohibited

(the definition of hurdling to be given

out at the meeting two weeks hence).

The matter of a field laboratory was postponed until the next meeting, as was

the selection of a central board of offi-

The ten-yard gain rule was fully dis-

cussed, but no decision was arrived at.

place on the rush line.

shall be a loss of fifteen yards.

penalize for the above offenses

shall be suspended from playing foot ball

for one year from date of second offense,

of the committee two weeks hence.

qualified.

self of an ally in case of war.

lowed to pass into desuetude.

and is reported to have said:

that's more than ally).

ing every word:

at a gala luncheon at Tskarskoe-Selo to

ST. PETERSBURG, January 27 .- A new Slocum rouping of the powers of Europe, with Germany and Russia arrayed side by side

TEN YEARS IN THE PEN

First Conviction in Prosecutions for Disaster.

BAIL WAS FIXED AT \$10,000

Forced to Go to Tombs Because of Absence of Friends-Van

Schaick's Statement.

the emperor-king without the qualifying NEW YORK, January 27.-Capt. William expression of brotherhood and friendship H. Van Schaick was today found guilty of but, turning to Herr von Schoen, the Gercriminal negligence in falling to have fire man ambassador, who was standing at his drills on the steamer Gen. Slocum, which right, the emperor grasped him by the hand he commanded in June, 1904, when that steamer burned, with the loss of over 1,000 "Frere, c'est plus que allie" (brother,

> He was immediately sentenced to ten years' imprisonment by Judge Thomas of the United States district court.

that's more than ally).

The stage of the momentous utterance was the great dining hall of the Alexander or "Little" palace at Tsarskoe-Selo, where the emperor has his winter residence. The Empress and Grand Duke Michael were present at the luncheon, to which were invited, besides all the members of the German embassy staff, Court Minister Fredericks and many high dignitaries of the court, generals, admirals and all the Russian knights of the German Order of the Black Eagle, while the presence of Count Witte, the premier, and Count Lamsdorf, the foreign minister, gave ministerial The jury disagreed as to two other counts, in which he was charged with criminal negligence by the employment of life pre servers of poor quality on the steamer.

The ten-year sentence is the full extent of the term of imprisonment provided by the federal statutes as the punishment for the offense with which Capt. Van Schaick was charged. Immediately after sentence was passed Capt. Van Schaick's counsel was granted thirty days in which to preuniforms of the Prussian regiments, of which they are honorary commanders. The emperor's choice of the word "ally" pare papers necessary to appeal the case and ball for the prisoner was fixed at \$10,000.

Judge's Charge to the Jury. In his charge to the jury Judge Thomas

said that the vessel should have had a disciplined crew on board, as provided by law. If the accused man evaded these duties, he was, the court instructed, plainly responsible under the law.

In regard to the life preservers, upon which two of the counts in the charge were based, Judge Thomas said that the captain should know that they were in a reasonably fair condition. He charged the jury that even though the government, through the inspectors, had been derelict in its duties that fact in no way excused the captain. The conviction of Capt. Van Schaick was the first resulting from prosecution of persons indicted on account of the Slocum disaster. The Gen. Slocum was owned by th Knickerbooker Steamship Company.

1,000 Victims of Disaster. In June, 1904, she took a Sunday school excursion from St. Mark's Lutheran Church up Long Island sound. The boat caught

fire near Hell Gate, and about 1,000 lives

were lost. Late today United States Marshal Henkel took Capt. Van Schaick to the Tombs, where he was locked up, the friends on whom the captain had depended to give bail, having left the city temporarily.

The captain, who is an old man, was quite cheerful up to the time the news was quite cheerful up to the time the news was borken to him that the bail could not be

arranged for today.

When he was told that he would have to go to the Tombs, his whole demeanor changed, and he showed plainly that his commitment was a most disheartening

NEW FOOT BALL RULES Tombs in person and tried to cheer the old man up. Just as they were leaving Capt. Van Schaick turned to the newspaper men and said:

Escorted to the Tombs.

ACTION OF NATIONAL INTER-"Boys, I was the victim of circumstances. I tried to do my duty as I saw it. I think my sentence was pretty harsh for an old man, but I have no fault or criticism to make.

> He also expressed the belief that great hope lay for him in the appeal and that it would ultimately result in an acquittal for him. Capt. Van Schaick had seen over forty years of service in steamboat work on the

Hudson and the waters about New York.

GEN.WHEELER'S BURIAL

INTERMENT AT ARLINGTON MONDAY AFTERNOON.

The official list of pallbearers for the funeral of Gen. Joseph Wheeler was announced last night by Maj. William D. Beach of the general staff of the army, who will have charge of the obsequies here, representing both the family of the deceased and the War Department. According to military rules, the honorary pallbearers kling runner when out of bounds and all must be officers holding rank as near as street, where she had been residing with possible to that held by Gen. Wheeler. Those selected are: Gen. Adna R. Chaffee, Gen. Bates, chief of staff; Gen. Randolph, Gen. Hawkins, commandant of the Soldiers' Home, and Gen. John M. Wilson, It having been reported that services would be held at St. John's Episcopal Church, 16th and H streets northwest,

Monday afternoon, before the remains were conveyed to Arlington, a Star reporter asked Maj. Beach about the matter last The arrangements as published in The Evening Star yesterday are correct," replied the major. "There will be no services in St. John's Church here. That has been agreed upon by Capt. Wheeler and myself. After the remains have lain in state in the sanctuary of the church from 10 o'clock in the forenoon Monday until 2 o'clock the afternoon, they will be escorted to Arlington, where the final services will be held at the grave with full military honors. The idea of having two services in churches is an unheard of one. There must be some mistake about the announcement that another service other than the territory of the than the territory of the than the territory of the territory of

Thomas' Church, New York, and that at the grave will be held.' Rev. Roland Cotton Smith, rector of St. John's Church, when asked by a Star reporter last night about the report, said his information was that there would not be any services held in his church. If such services were to be held, he believed he would have been consulted, or at least informed of the intention.

that another service other than that in St.

Location of Grave.

The site selected at Arlington as the last resting place for the great cavalry leader of the confederacy and later of the Spanish-American war, is said to be one of the prettiest and most romantic spots in the great all the line men and inside the men on the end of the line.

There shall be no tackling below the knee, except by the men on the line of scrimmage or defense, and of these the two men on the ends of the line of scrimcity of the dead American soldiers, with "their green tents opening upward." It was selected yesterday by Gen. Wheeler's daughter, Mrs. Harris, who was accompanied to Arlington by Major William D. Beach. The site is immediately beneath a stately tree in front of the Lee mansion. It is in line with the Sheridan monument, which marks the final bivouse of another great cavalry leader of the civil war. There are no monuments in the immediate vicinity, however, and from the grave of Wheel-

ity, however, and from the grave of Wheeler can be seen Washington in the distance like a pretty picture.

Orders were issued from the War Department yesterday afternoon detalling the cavalry, infantry and artillery that is to act as an escort for the remains.

General orders were also issued last night by Commander John Lewis Smith of the District department of United Spanish War Veterans calling a meeting of all members

Confederate Veterans' Association of Washington, last night issued a statement 19 the effect that the members of that society will assemble at St. John's Church, 16th and H streets northwest, at 1:30 o'clock p.m. to pay their respects to fheir deceased and distinguished comrade, but, owing to the infirmities of the former soldiers in gray and the distance to Arlington they will not attempt to march there. They are expected to wear their official badges, and visiting ex-confederates will be welcomed.

It is said President Roosevelt will view

the remains of his old commanding officer of the war with Spain at St. John's Church. but he will not go to Arlington.

It was remarked last night by a former army officer as a coincidence that within a comparatively short space of time two great cavalry leaders of the confederacy— Gen. Fitzhugh Lee and Gen. Wheeler—both of whom played prominent parts in the war with Spain, died while away from their homes and were buried after lying in state at St. John's Church, in this city.

CAUSED BY CROSSED WIRES.

Fire Damages Y. M. C. A. Building to Amount of \$100. The Boys' Department of the Y. M. C. A.

was visited by a small fire late last evening. in which about \$100 damage resulted. Two electric wires running into the gymnasium of the old building, now used as the boys' department, were crossed and the woodwork in the gymnasium took fire. It was discovered by one of the watchmen in the building and he gave the alarm through the structure, and an alarm was turned in from box 32. When the engine companies reached the scene it was found that only the chemical engine was needed to extinguish the blaze. No one was injured.

Woman, Who Claims to Be His Widow, Takes Action.

McGarren, who claims to be the widow of Alexander McGarren, who died June 25, 1905, leaving an estate worth \$675,000, today began proceedings in the supreme court to have the judgment obtained by Mr. McGarren on April 1, 1902, annulling their marriage set aside and the marriage declared valid.

She declares that she was never served with the summons, and also that the supreme court of this state in granting the decree violated article four, section one of the Constitution of the United States in that the decree of divorce obtained by her former husband, Henry Shuhlein, in the state of Kentucky was a valid decree. Mr. McGarren had his marriage to Mrs. Mc Garren annulled because of the alleged ille-gality of Shuhlein's decree, claiming sho had a legal husband living at the time of her marriage to him.

Counsel for Mrs. McGarren today obtained from Justice Glidersleeve an order

returnable on Friday next directing the administrator of Mr. McGarren's estate to show cause why the decree annulling her marriage to the decedent should not be vacated and her marriage held good. An affidavit was submitted in which Mrs. McGarren sets forth that she is sixty-eight years old and that she was married to Mc-Garren in Covington, Ky., October 1, 1898 by County Court Judge Shine of Louisville Her marriage to Shuhlein took place, she stated, in Jersey City when she was about nineteen years of age. She claims that she was urged by McGarren to allow Shuhlein to get a divorce on grounds of deser

GIFT TO SMITHSONIAN.

tion and did so.

Annapolis Man Presented Institution With Valuable Chinese Flora.

Special Dispatch to The Star. ANNAPOLIS, January 27.-Lieut, R. L. Sheard, U. S. M. C., has been detailed provost marshal of the court-martial in place of Lieut. C. Ancrum, U. S. M. C., relieve t. Dr. Stephen P. Barchet, a former resi dent of this section, but who has spen many years of his life as a medical missionary to China, left Annapolis today, and Marshal Henkel escorted him to the will return to the field of his former work. Dr. Barchet has presented to the Smithsonian Institute, Washington, his fine collection of the flora of China, consisting of over 700 mounted and labeled specimens. and many others not yet so arranged. Other members of Dr. Barchet's family are en-gaged in the missionary work in China, and

one son, Mr. George Barchet, lives in the neighborhoop of St. Margarets, this county. The funeral of Mrs. Amelia Owen 1gl-hart, who died here Friday evening, with take place Monday from St. Anne's Church, the Rev. J. P. McComas officiating. Lieut, J. T. Tompkins, who for some time has been doing duty at the Navai Academy as an assistant in the deartment of me-chanics, has received orders to proceed to the Asiatic station for duty as ald on the staff of Rear Admiral Dayton, com-mander-in-chief of the Philippine squadron The officers of the Naval Academy gave

a hop tonight in the armory. The midship men's hop scheduled for February 10 will be held February 3 instead. On February 10 there will be instead of the hop the usual ceremonies attendant upon the buria; of "math." and "skinny," which this year will be a trial by court-martial of those two difficult studies.

MRS. WADE DEAD.

Daughter of an Officer of the War of 1812.

Special Disptach to The Star. BOYDS, Md., January 27 .- Mrs. Harriet Wade, who died in Washington at 1018 H her daughter lately, was the widow of James Perry Wade and daughter of the late Col. Jacob Nicholas of Montgomery county. who fought in the war of 1812. One daughter, Mollie, resident of Washington and a son, Wallace, at Granite, Baltimore county, survive her. Her remains will be brought to Barnesville for interment. She was a native of Montgomery county, and formerly re-

sided in Barnesville. Celebrating the Kaiser's Birthday. Baron Speck von Sternburg, the German ambassador in this country, last night gave a dinner to the members of the embassy and several distinguished German residents to celebrate the birthday of the German

Will Oppose Philippine Bill.

emperor.

Walter A. Schiffer, a New York cigar manufacturer, and several others interested in the tobacco business in the United States, appeared before the Senate Committee on the Philippines yesterday and opposed the Philippine tariff bill. Other tobacco men will be heard tomorrow. Among these will be a large delegation representing the York county, Pa., tobacco growers, which will indorse the protest made today by Lancaster county, Pa., tobacco men against the passage of the bill.

Virginia Senators Arraigned.

RICHMOND, Va., January 27 .- Senator Camm Patteson will, on Monday next, present two resolutions in the state senate demanding why the two federal senators from Virginia, Messrs Daniel and Martin, have not followed the mandate of the general assembly and introduced and supported an amendment to the federal Constitution look ing to the election of United States senators by the people.

Yacht Club Smoker.

A smoker for members and guests was given under the auspices of the Capital Yacht Club last night at the club house, foot of 7th street southwest. A large company was entertained by a musical program and by talks by members on yachting and other aquatic subjects. Mucl enthusiasm was manifest among the members over the bright prospects for yachting dur-

actual vachting.

W. J. Odell, a Cincinnati broker, was perpetually enjoined from interfering with

ing the coming season.

The event last night was one of a number of winter entertainments held when the weather conditions do not permit of

Capt. John T. Callaghan, president of the stituted in New York.

AFTER McGARREN'S WEALTH. NEW YORK, January 27 .- Mrs. Hester